

### REMARKS

Reconsideration and allowance of the subject application are respectfully solicited.

Claims 1 through 14, 16 through 19, 21, 22, 36 through 48, and 72 through 103 are pending, with Claims 1, 6, 11, 12, 17, 22, 36, 42, 48, 72, 84, and 96 being independent. Claims 23 through 35 and 49 through 71 have been canceled without prejudice to or disclaimer of the subject matter recited therein. Claims 16 and 21 have been amended. Claims 97 through 103 have been added.

### REQUEST FOR INITIALLING OF ENTRY ON FORM PTO-1449

Applicants respectfully note that the Avaro article on the October 17, 2005 Form PTO-1449 has not been initialed, and respectfully request that the same be initialed to confirm the Office's consideration thereof. Favorable consideration is earnestly solicited.

### FURTHER REMARKS

Claims 12 through 14, 16 through 19, 21, and 22 were rejected yet again under 35 U.S.C. § 103 over U.S. Patent No. 6,567,427 B1 (Suzuki, et al.) in view of U.S. Patent Publication Nos. 2001/000962 A1 (Rajan) and 2001/0052856 A1 (Deniau, et al.), and U.S. Patent Nos. 6,601,103 B1 (Goldschmidt Iki, et al.) and 5,317,391 (Banker, et al.). All rejections are respectfully traversed.

Claims 12, 17, and 22 variously recite, inter alia, setting a user layout to display images as claimed and the character, in accordance with the program ID (indicated by the program ID data, wherein at least scene description data, program ID data, and character command data are decoded from the system data) and the coding format of the received image data when it is determined that the program ID and a registered program ID are coincident, and synthesizing the claimed items in accordance with the scene description data and the user layout so as to reconstruct the scene when it is determined that the program ID and the registered ID are coincident.

However, Applicants respectfully submit that none of Suzuki, et al., Rajan, Deniau, et al., Banker, et al., and Goldschmidt Iki, et al., even in the proposed combinations, assuming, arguendo, that the documents could be combined, discloses or suggests at least the above-discussed claimed combinations of features as recited, inter alia, in Claims 12, 17, and 22

The Official Action relies upon Goldschmidt Iki, et al. for showing use of “predetermined content criteria”. This reliance is respectfully traversed. In more detail, Applicants respectfully submit that Goldschmidt Iki, et al. shows, e.g., “That is to say, supplemental programming provider 104 continuously evaluates primary programming information for content that satisfies the predetermined content criteria found within a user profile for the current user of system 100, and, when the predetermined content criteria of the user profile is satisfied, supplemental programming provider 104 outputs supplemental programming associated with the predetermined content criteria.” (col. 3, lines 31-38). And Applicants respectfully note that said patent discloses, e.g., determining if

predetermined content criteria is satisfied, e.g., by evaluating text information (e.g., col. 4, line 25), audio (e.g., col. 6, line 57), or video (e.g., col. 6, line 63). However, Applicants respectfully submit that Goldschmidt Iki, et al.'s use of "predetermined content criteria", as applied to the primary programming information (e.g., from television, internet, radio, satellite, wireless, etc.), does not constitute either a description or a suggestion of determining whether the program ID and a registered program ID are coincident as claimed in combination.

It is further respectfully submitted that there has been no showing of any indication of motivation in the cited documents that would lead one having ordinary skill in the art to arrive at the above-discussed claimed features.

By means of such features, Applicants respectfully submit that the system may provide, e.g., that when a broadcast program is received, it is reproduced in a user-preferred layout if the program corresponds to the registered program ID (see, e.g., Fig. 25, steps S3-S6).

The dependent claims are also submitted to be patentable because they set forth additional aspects of the present invention and are dependent from independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

Applicants submit that this application is in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Daniel S. Glueck/  
Attorney for Applicants  
Daniel S. Glueck  
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200  
DSG/cmg

DC\_MAIN 250320v2